IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.R.UDAYABHANU

MONDAY, THE 2ND APRIL 2007 / 12TH CHAITHRA 1929

Crl.Rev.Pet.No. 1390 of 2002()

CRA.69/2002 of II ADDL.SESSIONS COURT, ERNAKULAM
CC.133/1999 of JUDL.MAGISTRATE OF FIRST CLASS, KOLENCHERRY

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REVN. PETITIONER: APPELLANT/ACCUSED:

ULAHANNAN, S/O. ISSAC,
KOTTAMULATHU VEETTIL, NADAYIRIPPUKARA,
IKKARANADU, NORTH VILLAGE.

BY ADV. SRI.E.G.GORDEN

RESPONDENTS: COMPLAINANT & STATE:

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1. VARGHESE, S/O. VARKEY,
PERINGATTEL, PANGODE KARA,
IKKARANADU NORTH VILLAGE.

2. STATE OF KERALA, REPRESENTED
BY PUBLIC PRSECUTOR, HIGH COURT OF
KERALA, ERNAKULAM.

BY ADV. SRI.JEEMON K.ABRAHAM
SRI.ROY VARGHESE
BY PUBLIC PROSECUTOR SRI.AMJAD ALI

THIS CRIMINAL REVISION PETITION HAVING BEEN FINALLY HEARD ON 02/04/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

CRRP1390/2000

ORDER ON CRL.M.P.NO.7885/2002 AND CRL.M.P.8232/2002 IN CRL.R.P.NO.1390/2002

DISMISSED

2.4.2007 SD/- K.R.UDAYABHANU, JUDGE

/TRUE COPY/

P.A. TO JUDGE

K.R.UDAYABHANU, J

CRL.R.P.No.1390 of 2002

Dated this the 2nd day of April, 2007

O R D E R

The revision petitioner stands convicted for the offence under Section 138 of the Negotiable Instruments Act and sentenced to undergo simple imprisonment for three months and to pay a compensation of Rs.40,000/- to the complainant vide Section 357(3) of the Code of Criminal Procedure.

2. Counsel for the revision petitioner has only sought for modification of the sentence and time to make the payment. In the circumstances, the sentence is modified to imprisonment till the rising of the court and to pay a compensation of Rs.40,000/- vide Section 357(3) of the Code of Criminal Procedure and in default, to undergo simple imprisonment for three months. Revision petitioner is granted four months' time to pay the amount of compensation. He shall appear before the Judicial First Class Magistrate Court-I, Kolencherry on 2.8.2007 to receive the sentence. Non bailable warrant, pending, if any shall be kept in abeyance till then.

The criminal revision petition is disposed of as above.

K.R.UDAYABHANU,
JUDGE

csl